

COUNTY OF SUFFOLK



STEVE BELLONE  
SUFFOLK COUNTY EXECUTIVE

DENNIS M. BROWN  
COUNTY ATTORNEY

DEPARTMENT OF LAW

October 23, 2017

Hon. Ann M. Donnelly, U.S.D.J.  
United States District Court, Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Simmons v. County of Suffolk et al.*, CV14-CV-3884 (AMD) (ARL)

Dear Judge Donnelly:

The Suffolk County Attorney's Office represents the County of Suffolk and the Suffolk County police officers (the "police officers"), who are defendants in this action pursuant to 42 U.S.C. §1983.

Pursuant to the Court's Order of October 16, 2017, the parties were to advise the Court by today whether they wish to move for summary judgment. Respectfully, defendants request a one week extension of their time to advise the Court whether they wish to move for summary judgment.

Counsel for plaintiff, Eric Hecker, Esq., consents to our request, but asks that we apprise the Court that he informed me after the conference held October 16, 2017 that plaintiff will not move for summary judgment if defendants do not.

We thank the Court for its continued time and attention to this case.

Respectfully submitted,

Dennis M. Brown  
Suffolk County Attorney

/s/ Arlene S. Zwilling  
By: Arlene S. Zwilling  
Assistant County Attorney